

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Mohamed D.,

Case No. 19-cv-0325 (WMW/TNL)

Petitioner,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Secretary Homeland Security, William P.
Barr, Peter Berg, and Kurt Freitag,

Respondents.

This matter is before the Court on the September 16, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Tony N. Leung. (Dkt. 15.) The R&R recommends denying as moot Petitioner Mohamed D.’s petition for a writ of habeas corpus under 28 U.S.C. § 2241, in which he seeks release from the custody of the Immigration and Customs Enforcement agency (ICE). No objection to the R&R was filed in the time period permitted.

In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee’s note (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having conducted a careful review, the Court finds no clear error as to the R&R’s conclusion that the petition became moot upon Petitioner’s release from ICE custody on May 3, 2019.

Accordingly, the Court adopts the R&R and denies the petition as moot.

ORDER

Based on the R&R, the foregoing analysis, and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The September 16, 2019 R&R, (Dkt. 15), is **ADOPTED**.
2. Petitioner Mohamed D.'s petition for a writ of habeas corpus, 28 U.S.C. § 2241, (Dkt. 1), is **DENIED AS MOOT**.
3. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 8, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge